

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

CALEB S. LISENBEE,)
Plaintiff,)
v.) Civil No. 3:06-1159
FEDEX CORPORATION and FEDERAL) Judge Trauger
EXPRESS EUROPE, INC.,) Magistrate Judge Brown
Defendants.)

ORDER

On August 14, 2008, the Magistrate Judge issued a Report and Recommendation (Docket No. 33), to which no timely objections have been filed. The Report and Recommendation is therefore **ACCEPTED** and made the findings of fact and conclusions of law of this court. For the reasons expressed therein, it is hereby **ORDERED** that the Motion for Summary Judgment filed by defendant FedEx Corporation (Docket No. 23) is **GRANTED** as to the Title VII claims against this defendant, and those claims are **DISMISSED**. The Motion for Summary Judgment is **DENIED** as to this defendant's *forum non conveniens* argument.

It is further **ORDERED** that this case is **TRANSFERRED** under 28 U.S.C. § 1404 to the Western District of Tennessee for further proceedings.

It is so ORDERED.

Enter this 9th of September 2008.


Aleta A. Trauger
U.S. District Judge